

# Ohio Department of Transportation Prebid Questions

Project No. 091060

Sale Date - 6/24/2009

Question Submitted: 6/11/2009

Question Number: 1

Please advise for ref90,91,93 and ref94, do the decorative light poles manufacturers need to be listed as a certified supplier with materials management for light poles? Does the light pole manufacture need to be listed as an approved product, decorative light pole listed in QPL? Does the manufacture need to have thier product produced using American steel as per section 106.09 in the Construction and Material Specification Manual. Please advise for ref92 and ref95 There is no section in 725.11, as it relates to the decorative light fixtures. Since there is no decorative sub-section, do the manufactures need to have the products listed on the QPL listing? Does the manufacture need to meet the ballast requirments in seccion 725.11? Per the American Rcovery and Reinvestment Act of (2009)(ARRA) do the light fixtures need to be manufactured in the United States and will they need certification of same.

**Answer: References 90, 91, 93 and 94: the products need to be on the appropriate QPL before either the product or its paperwork arrives at the job site but not before the award. Manufacturers need not have their product produced using American steel since the pole material specified in the plans is aluminum. Answer: The QPL for C&MS 725.11 Luminaries is only for products that meet the specifications listed in C&MS 725.11. If specific companies are listed in the design plans to provide decorative or different types of items that would not match the standard requirements of the C&MS then the design plans take precedence (C&MS 105.04). Since the Design Plans take precedence over the C&MS there would be no requirement that the companies be listed on the QPL. FHWA does not apply Buy America to manufactured goods. Title XII of the Recovery Act specifically provides that ARRA-funded highways are to be administered as if apportioned under chapter 1 of title 23, United States Code. Accordingly, ARRA-funded highway projects are administered in accordance with the requirements of title 23, United States Code, including the provisions of Buy America at 23 USC 313. The FHWA, in implementing the final Buy America regulations in 1983 (see <http://www.fhwa.dot.gov/programadmin/contracts/112583.cfm>), decided it was in the public interest to waive the application of Buy America to manufactured products other than steel and iron manufactured products. Since the Recovery Act directs that ARRA-funded highway projects be administered in accordance with title 23, United State Code, the FHWA will apply the Buy America provision at 23 USC 313, and implementing regulations and policies, to all Recovery Act highway construction projects - not ARRA section 1605. For more information on the FHWA's implementation of Buy America, see <http://www.fhwa.dot.gov/construction/cqit/buyam.cfm>.**

Question Submitted: 6/11/2009

Question Number: 2

Will an EBS file be available for download? Currenly I get a not available message when I try to download.

**It's out there now.**

Question Submitted: 6/19/2009

Question Number: 3

There appears to be a contradiction in notes in these plans. Page 5 of the plans includes an Indian Bat note that states trees with potential roosts cannot be removed until September 30. Page 7 of the plans states phase I, II & III, need to be completed by October 15. These 3 phase include all of the widening, which includes all of the tree remove. Please clarify this contradiction.

**All potential Indiana Bat habitat trees were cut down prior to April 1st and contractors can disregard the tree cutting restriction note in the plan.**

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All prospective bidders, subcontractors, suppliers, materialmen and all others who have an interest in these prebid questions and answers are advised that these items are being provided for informational purposes only and are not part of the bidding documents. If a question warrants a clarification, the Department will issue an addenda addressing the request for clarification to all plan holders. If the Department believes that the bidding documents adequately address the request, the contractor will be advised accordingly.